

1973—Subsec. (c)(8). Pub. L. 93-95 added cl. (8).

1969—Subsec. (c)(7). Pub. L. 91-86 added cl. (7).

1959—Subsec. (a). Pub. L. 86-257 amended subsec. (a) generally. Prior to amendment subsec. (a) read as follows: "It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are employed in an industry affecting commerce."

Subsec. (b). Pub. L. 86-257 amended subsec. (b) generally. Prior to amendment subsec. (b) read as follows: "It shall be unlawful for any representative of any employees who are employed in an industry affecting commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value."

Subsec. (c). Pub. L. 86-257 substituted "in respect to any money or other thing of value payable by an employer to any of his employees whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his service as an employee of such employer" for "with respect to any money or other thing of value payable by an employer to any representative who is an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer" in cl. (1), and added cl. (6).

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of Title 49, Transportation.

APPLICABILITY TO COLLECTIVE BARGAINING AGREEMENTS

Amendment by Pub. L. 95-524 not to affect terms and conditions of any collective bargaining agreement whether in effect prior to or entered into after Oct. 27, 1978, see section 6(e) of Pub. L. 95-524, set out as an Effective Date note under section 175a of this title.

§ 187. Unlawful activities or conduct; right to sue; jurisdiction; limitations; damages

(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 158(b)(4) of this title.

(b) Whoever shall be injured in his business or property by reason or¹ any violation of subsection (a) of this section may sue therefor in any district court of the United States subject to the limitations and provisions of section 185 of this title without respect to the amount in controversy, or in any other court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit.

(June 23, 1947, ch. 120, title III, § 303, 61 Stat. 158; Pub. L. 86-257, title VII, § 704(e), Sept. 14, 1959, 73 Stat. 545.)

AMENDMENTS

1959—Subsec. (a). Pub. L. 86-257 struck out provisions which specified particular practices that were unlawful, and inserted reference to practices defined in section 158(b)(4) of this title, which section defines the unfair labor practices formerly enumerated in this subsection.

¹ So in original. Probably should be "of".

§ 188. Repealed. Aug. 9, 1955, ch. 690, § 4(3), 69 Stat. 625

Section, act June 23, 1947, ch. 120, title III, § 305, 61 Stat. 160, forbade striking by Government employees, required discharge of striking employee and forfeiture of his civil-service status, and made him ineligible for employment for three years. See sections 3333 and 7311 of Title 5, Government Organization and Employees, and section 1918 of Title 18, Crimes and Criminal Procedure.

SUBCHAPTER V—CONGRESSIONAL JOINT COMMITTEE ON LABOR-MANAGEMENT RELATIONS

§§ 191 to 197. Omitted

CODIFICATION

Section 191, act June 23, 1947, ch. 120, title IV, § 401, 61 Stat. 160, related to establishment and composition of Joint Committee on Labor-Management Relations.

Section 192, act June 23, 1947, ch. 120, title IV, § 402, 61 Stat. 160, related to a study by committee of the entire field of labor-management relations.

Section 193, acts June 23, 1947, ch. 120, title IV, § 403, 61 Stat. 160; Aug. 10, 1948, ch. 833, 62 Stat. 1286, related to a final report to Congress to be submitted no later than March 1, 1949.

Section 194, act June 23, 1947, ch. 120, title IV, § 404, 61 Stat. 161, related to employment and compensation of experts and other personnel.

Section 195, act June 23, 1947, ch. 120, title IV, § 405, 61 Stat. 161, related to hearings, calling of witnesses, production of evidence.

Section 196, act June 23, 1947, ch. 120, title IV, § 406, 61 Stat. 161, related to reimbursement of committee members for expenses.

Section 197, act June 23, 1947, ch. 120, title IV, § 407, 61 Stat. 161, related to appropriation of funds.

CHAPTER 8—FAIR LABOR STANDARDS

Sec.

201.

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203.

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Short title.

Congressional finding and declaration of policy.

Definitions.

Administration.

(a) Creation of Wage and Hour Division in Department of Labor; Administrator.

(b) Appointment, selection, classification, and promotion of employees by Administrator.

(c) Principal office of Administrator; jurisdiction.

(d) Biennial report to Congress; studies of exemptions to hour and wage provisions and means to prevent curtailment of employment opportunities.

(e) Study of effects of foreign production on unemployment; report to President and Congress.

(f) Employees of Library of Congress; administration of provisions by Office of Personnel Management.

205. Special industry committees for American Samoa.

(a) Establishment; residents as members of committees.

(b) Appointment of committee without regard to other laws pertaining to the appointment and compensation of employees of the United States; composition of committees.

(c) Quorum; compensation; employees.

(d) Submission of data to committees.

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Minimum wage.

Sec.		Sec.	
	(a) Employees engaged in commerce; home workers in Puerto Rico and Virgin Islands; employees in American Samoa; seamen on American vessels; agricultural employees.		(a) Restrictions on shipment of goods; prosecution; conviction.
	(b) Additional applicability to employees pursuant to subsequent amendatory provisions.		(b) Investigations and inspections.
	(c) Repealed.		(c) Oppressive child labor.
	(d) Prohibition of sex discrimination.		(d) Proof of age.
	(e) Employees of employers providing contract services to United States.	213.	Exemptions.
	(f) Employees in domestic service.		(a) Minimum wage and maximum hour requirements.
	(g) Newly hired employees who are less than 20 years old.		(b) Maximum hour requirements.
207.	Maximum hours.		(c) Child labor requirements.
	(a) Employees engaged in interstate commerce; additional applicability to employees pursuant to subsequent amendatory provisions.		(d) Delivery of newspapers and wreathmaking.
	(b) Employment pursuant to collective bargaining agreement; employment by independently owned and controlled local enterprise engaged in distribution of petroleum products.		(e) Maximum hour requirements and minimum wage employees.
	(c), (d) Repealed.		(f) Employment in foreign countries and certain United States territories.
	(e) "Regular rate" defined.		(g) Certain employment in retail or service establishments, agriculture.
	(f) Employment necessitating irregular hours of work.		(h) Maximum hour requirement: fourteen workweek limitation.
	(g) Employment at piece rates.		(i) Cotton ginning.
	(h) Credit toward minimum wage or overtime compensation of amounts excluded from regular rate.		(j) Processing of sugar beets, sugar beet molasses, or sugar cane.
	(i) Employment by retail or service establishment.	214.	Employment under special certificates.
	(j) Employment in hospital or establishment engaged in care of sick, aged, or mentally ill.		(a) Learners, apprentices, messengers.
	(k) Employment by public agency engaged in fire protection or law enforcement activities.		(b) Students.
	(l) Employment in domestic service in one or more households.		(c) Handicapped workers.
	(m) Employment in tobacco industry.		(d) Employment by schools.
	(n) Employment by street, suburban, or interurban electric railway, or local trolley or motorbus carrier.	215.	Prohibited acts; prima facie evidence.
	(o) Compensatory time.	216.	Penalties.
	(p) Special detail work for fire protection and law enforcement employees; occasional or sporadic employment; substitution.		(a) Fines and imprisonment.
	(q) Maximum hour exemption for employees receiving remedial education.		(b) Damages; right of action; attorney's fees and costs; termination of right of action.
208.	Wage orders in American Samoa.		(c) Payment of wages and compensation; waiver of claims; actions by the Secretary; limitation of actions.
	(a) Congressional policy; recommendation of wage rate by industry committee.		(d) Savings provisions.
	(b) Investigation of industry condition by industry committee; matters considered.		(e) Civil penalties for child labor violations.
	(c) Classifications within industry; recommendation of wage rate.	216a.	Repealed.
	(d) Report by industry committee; publication in Federal Register.	216b.	Liability for overtime work performed prior to July 20, 1949.
	(e) Orders.	217.	Injunction proceedings.
	(f) Due notice of hearings by publication in Federal Register.	218.	Relation to other laws.
209.	Attendance of witnesses.	219.	Separability.
210.	Court review of wage orders in Puerto Rico and the Virgin Islands.		
211.	Collection of data.		
	(a) Investigations and inspections.		
	(b) State and local agencies and employees.		
	(c) Records.		
	(d) Homework regulations.		
212.	Child labor provisions.		

§ 201. Short title

This chapter may be cited as the "Fair Labor Standards Act of 1938".

(June 25, 1938, ch. 676, § 1, 52 Stat. 1060.)

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-202, § 1, May 18, 2000, 114 Stat. 308, provided that: "This Act [amending section 207 of this title and enacting provisions set out as notes under section 207 of this title] may be cited as the 'Worker Economic Opportunity Act'."

SHORT TITLE OF 1998 AMENDMENTS

Pub. L. 105-334, § 1, Oct. 31, 1998, 112 Stat. 3137, provided that: "This Act [amending section 213 of this title and enacting provisions set out as a note under section 213 of this title] may be cited as the 'Drive for Teen Employment Act'."

Pub. L. 105-221, § 1, Aug. 7, 1998, 112 Stat. 1248, provided that: "This Act [amending section 203 of this title] may be cited as the 'Amy Somers Volunteers at Food Banks Act'."

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-188, [title II], § 2104(a), Aug. 20, 1996, 110 Stat. 1928, provided that: "This section [amending section 206 of this title] may be cited as the 'Minimum Wage Increase Act of 1996'."

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-26, § 1, Sept. 6, 1995, 109 Stat. 264, provided that: "This Act [amending section 207 of this title and